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5 Attorney for Plaintiff,  
6 Jose Trujillo

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

19       **WHEREAS**, the Court issued a Scheduling Order in this matter on April 20, 2021 (Dkt.  
20 11) which, among other things, set a fact discovery cutoff of November 19, 2021;

21       **WHEREAS**, on October 28, 2021, the Court issued an Order of Clarification notifying  
22 the parties that there is no district judge available to hear this matter and that, “[f]or practical  
23 purposes, this means that all matters set before the district judge in these cases are effectively  
24 STAYED until further notice” (Dkt. 16);

25           **WHEREAS**, Plaintiff, Jose Trujillo (“Plaintiff”), and Defendants, H&S LBSE Inc dba  
26 7-Eleven #22736G and 7-Eleven, Inc. (“Defendants,” and together with Plaintiff, “the Parties”),  
27 are presently engaged in settlement discussions, and wish to exhaust settlement efforts prior to  
28 completing discovery including depositions of fact witnesses and expert disclosures, as

**STIPULATED REQUEST TO AMEND CASE MANAGEMENT ORDER; ORDER**

1 resolving some or all of Plaintiff's injunctive relief claims could limit the scope of necessary  
2 discovery and thus the costs incurred;

3 **NOW, THEREFORE**, the Parties, by and through their counsel, respectfully request  
4 amendment of the Scheduling Order as follows:

	<u>Current Deadline</u>	<u>New Deadline</u>
6 Fact discovery cut-off	11/19/2021	5/20/2022
7 Expert disclosures	12/17/2021	6/3/2022
8 Expert rebuttal	1/21/2022	6/17/2022
9 Expert discovery cut-off	2/11/2022	7/22/2022
10 Pretrial motion filing deadline	3/25/2022	8/26/2022
11 Pretrial Conference	8/19/2022 at 1:30 p.m.	2/17/2023 at 1:30 p.m.

13  
14 **IT IS SO STIPULATED.**

15  
16 Dated: November 10, 2021 MOORE LAW FIRM, P.C.

17  
18 /s/ Tanya E. Moore  
19 Tanya E. Moore  
Attorney for Plaintiff,  
Jose Trujillo

20  
21 Dated: November 10, 2021 CALL & JENSEN  
22 A Professional Corporation

23  
24 /s/ Michael S. Orr  
25 Julie R. Trotter  
Michael S. Orr  
26 Attorneys for Defendants,  
H&S LBSE Inc dba 7-Eleven #22736G  
and 7-Eleven. Inc.  
27  
28

STIPULATED REQUEST TO AMEND CASE MANAGEMENT ORDER; ORDER

## **ORDER**

Although settlement discussions generally do not constitute good cause to modify a scheduling order, the Court finds that a continuance to pursue settlement discussions is warranted in light of both the judicial emergency in this district and the current stay of all matters set before the district judge. Accordingly, the parties having so stipulated, and good cause appearing,

**IT IS HEREBY ORDERED** that the Scheduling Order (Dkt. 11) is amended as follows:

	<u>Current Deadline</u>	<u>New Deadline</u>
9		
10	Fact discovery cut-off	11/19/2021
11	Expert disclosures	12/17/2021
12	Expert rebuttal	1/21/2022
13		6/17/2022
14	Expert discovery cut-off	2/11/2022
15	Pretrial motion filing deadline	7/22/2022
16	Pretrial Conference	3/25/2022
		8/26/2022
		2/17/2023 at 1:30 p.m.

IT IS SO ORDERED.

Dated: **November 15, 2021**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE